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Patent
Attorney Dkt. No. LYNN/0120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Waheguru Pal Singh, et al.

SERIAL NO. 10/052,908

CONFIRMATION NO.: 9750

FILED: October 29, 2001

**FOR: Methods of Sterilizing with
Dipercarboxylic Acids**

FOR THE UNITED STATES OF AMERICA:

EXAMINER: Qazi, Sabiha Naim

GROUP ART UNIT: 1616

DECLARATION OF G. DUNCAN FITCHENS

1. I am a named inventor of U.S. Patent No. 6,342,528 and U.S. Patent No. 6,518,307, both issued to McKenzie, *et al.*, (hereinafter 'McKenzie Patents').
2. I am a named inventor of the above captioned patent application, U.S. Patent Application No. 10/052,908 (hereinafter 'Application').
3. I am a joint inventor, with Anthony Giletto, of the disclosure in the McKenzie patents that is relevant to the claimed invention in the Application.
4. I invented, with Anthony Giletto, the relevant disclosure in the McKenzie patents that is relevant to the claimed invention in the Application prior to the new disclosure made in the Application.
5. The McKenzie patents and the Application were commonly owned or subject to assignment at the time of the invention claimed in the Application.
6. I derived no portion of the invention claimed in the Application from U.S. Patent 5,200,189 issued to Oakes, *et al.*, from U.S. Patent No. 5,049,298 issued to Ploumen, *et al.*, nor from any other document.

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7. I believe I am an original, first and joint inventor of the subject matter that is claimed and for which the Application was filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.



G. Duncan Hitchens

1/21/05
Date